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JOINT COMMITTEE ON FOREIGN INFORMATION AND INTELLIGENCE

Following are the remarks of Senator Eugene J. McCarthy in the United States Senate on Thursday, March 14, 1963:

Mr. President, I introduce a joint resolution to establish a joint committee of the House and Senate on Foreign Information and Intelligence and ask that it be appropriately referred.

The purpose of this resolution is to provide a mechanism for some kind of continuing supervision over the foreign information and intelligence activities of the United States government. Legislation of this nature was recommended by the Hoover Commission in 1955. The Task Force on Intelligence Activities, while recognizing the need for secrecy, expressed its concern over "the possibility of the growth of license and abuses of power where disclosure of costs, organization, personnel, and functions are precluded by law" and strongly recommended "that some reliable, systematic review of all the agencies and their operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of intelligence effort is functioning in an efficient, effective, and reasonably economical manner." I believe that events have fully demonstrated the wisdom of this recommendation of the Task Force, which the parent Commission seconded. I have pointed out the need for such a committee on many previous occasions and have introduced legislation in the 83rd, 84th, 85th, 86th and 87th congresses.

McCarthy--page 2

Joint Committee on Foreign Information and Intelligence (3/14/63)

The continuing controversy over responsibility for the Bay of Pigs and more recently the discussion of the alleged slowness of our intelligence agencies in determining the presence of Soviet missiles in Cuba, of the so-called "picture gap," and of the four American pilots who may or may not have been in the employ of the CIA have once again dramatized the anomalous nature of secret intelligence operations in a democratic society.

Mr. Dean Rusk spoke recently of the need to operate in "dark back alleys." Admittedly it is impossible to conduct these operations on the main boulevards. As espionage and counter-espionage have become more pervasive and their techniques more subtle, the need for secrecy has, if anything, increased. Nevertheless, I do not think it right that the Congress, which has the constitutional responsibility to provide for the common defense and to oversee the operation of the executive agencies which operate in this area, should be kept so largely ignorant of what is going on in the "back alleys."

As things now stand, certain members of the Armed Services and the Appropriations committees are given some knowledge of the operations of the CIA and related agencies, but there is no effective supervision of these activities.

In the course of a discussion of the advisability of establishing a Joint Committee on Intelligence on the floor of the Senate on April 9, 1956, Senator Mansfield asked, "How many times does

McCarthy--page 3

Joint Committee on Foreign Information and Intelligence (3/14/63)

the CIA request a meeting with the particular subcommittees of the Appropriations committee and the Armed Services Committee?" Senator Saltonstall, a member of both committees, replied, "...at least twice a year that happens in the Armed Services committee and at least once a year it happens in the Appropriations committee. I speak from knowledge during the last year or so...." I submit that such annual or semi-annual review is a very poor substitute for continuing surveillance by a standing committee which has as its primary purpose and responsibility the supervision of intelligence activities.

My resolution is not meant to express, directly or indirectly, any criticism of this administration or of the previous administration. Under both administrations the intelligence agencies have come in for their share of criticism in connection with mistakes or set-backs in the conduct of our foreign policy. It may well be that much of this criticism has been irresponsible and unwarranted, but since no members of the Congress are formally involved or responsible, few voices have been raised in defense of the agencies. I believe that there might be less controversy and less of a tendency to lay all errors at the doors of the intelligence agencies, if the American people knew that a duly constituted committee of their elected representatives was exercising supervision over these highly critical activities.

Under the Constitution, Congress alone can declare war. Today we are living in a twilight zone which is not peace and not openly declared war. Covert and para-military operations go on, and the Congress is failing in its responsibilities if it fails to exercise

adequate supervision over these operations and the explicit or implicit policy decisions which govern them.

One of the most serious questions which have been raised about the activities of the Central Intelligence Agency is that of the extent to which it has become not merely an instrument for the collection and evaluation of intelligence information, but, in fact, a policy-making agency. Walter Lippmann has said that "the CIA should cease to be what it has been much too much, an original source of American policy. That is what has gotten it into trouble, and that is what needs to be cured."

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conference. Whether these and other operations turned out well or badly, whether in the long run or in the short run they advanced the interests of the United States is secondary to the basic question of whether these actions were carried out without constitutional justification, without the authority of statute or of resolution or of treaty commitment.

The editors of the Washington Post recently expressed their concern about CIA operations "at cross purposes with those of persons

supposed to be carrying out American policy abroad" and about the way in which our Ambassadors have been on occasion frustrated and embarrassed by "spooks" attached in some manner to their embassies but operating almost entirely outside their direction.

If war is too important to be left to the generals, cold war intelligence operations are too important to be left to the specialists who conduct them. Hanson W. Baldwin, the distinguished military analyst, has warned that "the power of secret information is insidious."

Under the law, the Director of the CIA can withhold "titles, salaries, or numbers of personnel employed by the Agency;" he can approve the entry into the United States of certain aliens, subject to the concurrence of the Attorney General and the Commissioner of Immigration; he has the authority to expend funds without "regard to the provisions of law and regulations relating to the expenditure of government funds" on vouchers certified by him alone.

These are unusual powers and powers which the Congress traditionally has not yielded easily. In the age in which we live it is apparently necessary that such powers and such secrecy exist, but I believe it essential that the elected representatives of the people be in a position to effectively monitor these activities.

A joint committee on intelligence would provide the necessary safeguards against the abuse of power and it would assure the Congress of the knowledge it requires to make recommendations for the conduct of our foreign policy and to write effective legislation to meet new problems and new needs in this area. I urge the Committee on Foreign Relations to give early and serious consideration to my resolution and other proposals of a similar nature.